

APPLICANT: St. Benedict's Episcopal Church, LLC
678-279-4300

REPRESENTATIVE: John H. Moore 770-429-1499
Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Irving C. Hoffman, Haynes Grading, Inc.

PROPERTY LOCATION: Northwesterly side of Cooper Lake Road,
east of Weaver Street.

ACCESS TO PROPERTY: Cooper Lake Road

PHYSICAL CHARACTERISTICS TO SITE: Existing 11,000 sq.
ft. building

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20, RA-5/Coopers Point Subdivision, Weaver Street at Manor Street Subdivision
- SOUTH:** GC/Commercial Retail and Offices
- EAST:** GC/Office
- WEST:** R-20/Gilmore Heights Subdivision

PETITION NO: SLUP-3

HEARING DATE (PC): 05-07-13

HEARING DATE (BOC): 05-21-13

PRESENT ZONING: GC, LRO

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Day School

SIZE OF TRACT: 2.091 acres

DISTRICT: 17

LAND LOT(S): 694

PARCEL(S): 19, 111

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

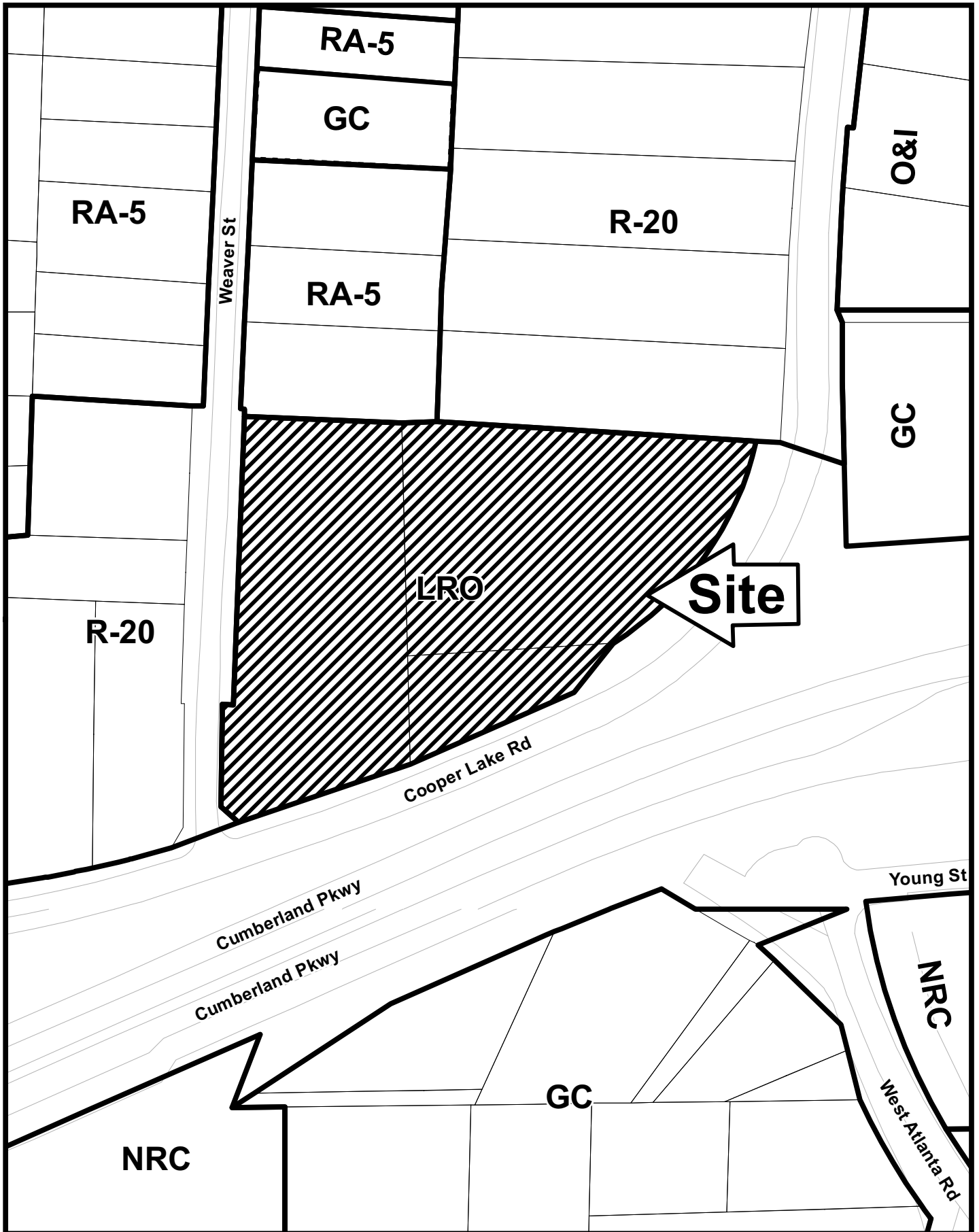
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

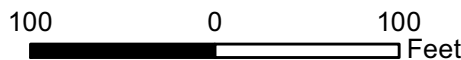
STIPULATIONS:



SLUP-3



This map is provided for display and planning purposes only. It is not meant to be a legal description.



- City Boundary
- Zoning Boundary

APPLICANT: St. Benedict's Episcopal Church, LLC

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PRESENT ZONING: GC, LRO

PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: Terry Martin, MPA

The applicant is requesting a Special Land Use Permit (SLUP) to accomplish the goal of operating a “day school” private school on the property. At present, the property is split zoned between the LRO low rise office district and GC general commercial district; the GC zoned portion being grandfathered considering its MDR medium density residential future land use designation. Pending rezoning case Z-11 of 2013 is a request to change the entire property’s zoning to LRO low rise office district. The necessary variance to waive the required acreage for a private school, V-47 of 2013, was recommended for approval by the Board of Zoning Appeals at their April 10, 2013 hearing and ratified by the Board of Commissioners on April 16, 2013.

The Church hopes to utilize the existing 11,000 sq. ft. building already present on this property. Operating Monday through Friday 8:00 a.m. to 6:00 p.m., the school will open with grades four through six as it adds additional grades to eighth grade in subsequent years. The school proposes a maximum number of students of 200.

The applicant has submitted letters of agreeable stipulations in respect to the pending rezoning case Z-11 of 2013 that address many traffic routing and landscape buffering concerns expressed in numerous meetings between the applicant and nearby neighbors.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Connection to sanitary sewer will be required.

TRAFFIC COMMENTS:

Recommend sidewalk along the Cooper Lake Road and Weaver Street frontages.

Recommend removing and closing driveway apron along Cooper Lake Road frontage that development renders unnecessary.

Recommend Cobb County DOT review Traffic Circulation Plan.

Recommend guardrail or berm to protect play area along Cooper Lake Road.

Recommend Weaver Street line of sight not be obstructed by development related improvements.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

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STORMWATER MANAGEMENT COMMENTS

No comments.

STAFF RECOMMENDATIONS

SLUP-3 St. Benedict's Episcopal Church, LLC

Having applied for rezoning (Z-11 of 2013), then a lot size waiver (V-47 of 2013), the applicant has filed the current request (SLUP-3) in order to operate a private "day school" on the subject property. The lot size waiver, necessary because the site falls short of the required minimum 5 acres at just over 2 acres, was recommended for approval by the Board of Zoning Appeals on April 10, 2013 and ratified by the Board of Commissioners on April 16, 2013. The rezoning case to clear up the existing "grandfathered" zoning of the site is still pending before the BOC. It is staff's belief that with the many public hearings and ongoing conversations between the applicant and neighbors that will have taken place since the applicant's original submission, most, if not all, concerns will have been addressed. Based upon the above analysis, staff recommends APPROVAL subject to the following:

- Site plan received by the Zoning Division on April 10, 2013, with District Commissioner approving minor modifications;
- Decisions from Z-11 of 2013 and V-47 of 2013;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

ATTACHMENT TO APPLICATION FOR SPECIAL LAND USE PERMIT

STATEMENT OF PROPOSED SITE IMPROVEMENTS STATEMENT

Application No.: SLUP- 3 (2013)
Hearing Dates: May 7, 2013 and
May 21, 2013

Applicant: St. Benedict's Episcopal Church, LLC
Titleholders: Irving C. Hoffman and Haynes Grading, Inc.

Applicant proposes to use the existing structure located at 2025 Cooper Lake Road, with renovations, in order for the structure to accommodate the proposed day school expansion. Additionally, the parking facilities located adjacent to the existing structure will also be upgraded and expanded and brought into conformity with Cobb County Code. Landscaping surrounding the existing building and parking will be professionally designed, implemented, and maintained.

The existing structures on the portion of the Property located at 2105 Cooper Lake (consisting of two tracts) are to be removed and the entire area to become a passive play area for the Applicant's existing, and hopefully, expanded day school program. This area will also be professionally designed, implemented, and maintained.

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 MAR -7 PM 3:33

COBB COUNTY ZONING DIVISION

